

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**May 21, 2021**

SEAN F. McAVOY, CLERK

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**

JANAE G.<sup>1</sup>,

Plaintiff,

vs.

ANDREW M. SAUL,  
COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 2:20-cv-00230-MKD

**ORDER GRANTING  
STIPULATED MOTION FOR  
REMAND PURSUANT TO  
SENTENCE FOUR OF 42 U.S.C. §  
405(g)**

**ECF Nos. 20, 25**

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 25, requesting remand of the above-captioned matter to the Commissioner for additional administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g). Attorney Christopher Dellert represents Plaintiff. Attorney Diana Andsager represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 8.

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<sup>1</sup> To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names. *See* LCivR 5.2(c).

1 After consideration, **IT IS HEREBY ORDERED** that:

2 1. The parties' Stipulated Motion for Remand, **ECF No. 25**, is **GRANTED**.

3 2. The above-captioned case be **REVERSED** and **REMANDED** to the  
4 Commissioner of Social Security for further administrative proceeding pursuant to  
5 sentence four of 42 U.S.C. § 405(g).

6 The parties have stipulated to the following:

7 On remand, the Appeals Council will instruct the ALJ to:

- 8 • Offer Plaintiff the opportunity for a new hearing and to further  
9 develop the record;
- 10 • Reevaluate the medical opinions of record, including the opinions of  
11 Bruce Eather, Ph.D. and Gary Nelson, Ph.D., pursuant to 20 C.F.R. §§  
12 404.1527, 416.927.
- 13 • Reevaluate Plaintiff's subjective complaints;
- 14 • Reevaluate the lay testimony;
- 15 • Reevaluate Plaintiff's residual functional capacity;
- 16 • Continue the sequential evaluation, obtaining supplemental evidence  
17 from a vocational expert, as necessary; and
- 18 • Take any further action needed to complete the administrative record  
19 issue a new decision.

20 *See* ECF No. 25 at 2.

1           3. Judgment shall be entered for **PLAINTIFF**.

2           4. Plaintiff's Motion for Summary Judgment, **ECF No. 20**, is **STRICKEN**  
3 **AS MOOT**.

4           5. Upon proper presentation, this Court consider Plaintiff's application for  
5 fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

6           The District Court Executive is directed to enter this Order, **enter**  
7 **Judgment**, forward copies to counsel, and **CLOSE THE FILE**.

8           DATED May 21, 2021.

9                               s/Mary K. Dimke  
10                              MARY K. DIMKE  
11                              UNITED STATES MAGISTRATE JUDGE  
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